

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

LIBERTY MUTUAL INSURANCE )  
COMPANY, )  
Plaintiff, )  
v. ) C.A. No. 1:04-CV-10663-DPW  
THE BLACK & DECKER )  
CORPORATION, BLACK & DECKER )  
INC., BLACK & DECKER (U.S.) )  
INC., EMHART CORPORATION, )  
and EMHART, INC., )  
Defendants. )

## **STIPULATION OF DISMISSAL**

(J.C. Rhodes, MA)

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, that all claims and counterclaims in the captioned action are hereby dismissed, with prejudice, without costs, and with all rights of appeal waived.

Respectfully submitted,

LIBERTY MUTUAL INSURANCE  
COMPANY

By its Attorneys,

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THE BLACK & DECKER  
CORPORATION, ET ALs.

By their Attorneys,

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Dated: March 24, 2005

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I hereby certify under the pains and penalties  
of perjury that this document was served upon  
counsel for all parties in this case on

3-24-05 By Hand / By Mail  
*RJM*